

FILED: March 18, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1054 (L)
(2:24-cv-00271)

PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA

Plaintiff - Appellee

v.

JOHN B. MCCUSKEY, in his official capacity as Attorney General of West Virginia; JOHN BERNABEI, in his official capacity as a member of the West Virginia Board of Pharmacy; JAMES RUCKER, in his official capacity as a member of the West Virginia Board of Pharmacy; JENNA MISITI, in her official capacity as a member of the West Virginia Board of Pharmacy; SAM KAPOURALES, in his official capacity as a member of the West Virginia Board of Pharmacy; DAVID BOWYER, in his official capacity as a member of the West Virginia Board of Pharmacy; DENNIS LEWIS, in his official capacity as a member of the West Virginia Board of Pharmacy; ROBERT DUNCAN, in his official capacity as a member of the West Virginia Board of Pharmacy; ALLAN MCVEY, in his official capacity as Insurance Commissioner

Defendants - Appellants

340B HEALTH; AMERICAN HOSPITAL ASSOCIATION; WEST VIRGINIA
HOSPITAL ASSOCIATION; WEST VIRGINIA PRIMARY CARE
ASSOCIATION

Amici Supporting Appellants

O R D E R

340B Health, American Hospital Association, West Virginia Hospital Association, and West Virginia Primary Care Association have filed amicus curiae briefs with the consent of the parties.

The court accepts the briefs for filing.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk